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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|  |   |                         |
|--|---|-------------------------|
| -----  | X |                         |
|  | : |                         |
| In re:   | : | Chapter 11              |
|  | : |                         |
| LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> , | : | Case No. 08-13555 (JMP) |
|  | : |                         |
|  | : | (Jointly Administered)  |
|  | : |                         |
| Debtors.                                       | : |                         |
|  | : |                         |
| -----  | X |                         |

**NOTICE OF SUBPOENA ISSUED PURSUANT TO ORDER GRANTING THE  
DEBTORS AUTHORITY TO ISSUE SUBPOENAS FOR THE PRODUCTION  
OF DOCUMENTS AND AUTHORIZING THE EXAMINATION OF  
PERSONS AND ENTITIES**

Pursuant to the Order Granting the Debtors Authority to Issue Subpoenas for the Production of Documents and Authorizing the Examination of Persons and Entities, entered on November 23, 2009 (the “Order”),<sup>1</sup> the Court granted Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases (together, the “Debtors”) authority to issue subpoenas requiring persons or entities to produce documents to the Debtors and/or submit to examinations by the Debtors.

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<sup>1</sup> All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Order.

As required by the Order, the Debtors hereby file: (i) notice of the subpoena, naming the witness and setting forth the date, time and place of any examination and for the production of any documents (attached hereto as Exhibit A); and (ii) an affidavit of service (attached hereto as Exhibit B).

Dated: May 9, 2011  
New York, NY

JONES DAY

s/ Toni-Ann Citera

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*Attorneys for Debtors and Debtors in  
Possession*

**EXHIBIT A**

**NOTICE OF SUBPOENA**

|   |  |
|---|--|
| Name of Witness:  | Aurelius Capital Master, Ltd.  |
| Date of Service of Subpoena:  | May 6, 2011  |
| Subject of Subpoena:  | Production of Documents pursuant to Fed. R. Bankr. P. 2004   |
| Date, Time and Place of any Examination and for the Production of any Documents | Documents to be produced by June 6, 2011 at 10:00 A.M. (EST) at Jones Day, 222 East 41st Street, New York, New York 10017, Attn: Miriam Reznik |

**EXHIBIT B**

**AFFIDAVIT OF SERVICE**

**UNITED STATES BANKRUPTCY COURT  
Southern District of New York**

Index Number: 08-13555(JMP)

Date Filed: \_\_\_\_\_

In re:  
**LEHMAN BROTHERS HOLDINGS, INC., et al.**

Received by ASK Litigation Support, Inc. to be served on **AURELIUS CAPITAL MASTER,LTD.C/O Aurelius Capital Management, LP, 535 Madison Ave., New York, NY 1022.**

I, Simon Kahn, being duly sworn, depose and say that on the **6th day of May, 2011 at 1:00 pm, I:**

Delivered a **Subpoena for documents with Exhibit** to Nick, Security Officer at the actual location mentioned above.

**Additional Information pertaining to this Service:**

At approximately 11:20 I arrived at 535 Madison Ave., Lobby Reception. Because of the nature of my task and without any individual's name no call to the office of Aurelius was made. Rather, I was told to go to the basement security office and see Nick. I met Nick and he called the Aurelius office. I was then told that it may be a while as there is a 'conference' in progress. within 10-15 minutes a young woman came the Security office and inquired as to the nature of the legal matter. She took brief notes and said the gentleman who would be down was still on a telephone conference call. A short while later Nick received a call to tell me it would be a while and to make my wait comfortable. An hour later he received a call indicating I was to be sent away, "they don't want the papers". since cell service was poor I left the building to talk privately to David Jacobson. He said I should leave the papers with Security. I then returned to the basement Security area and told Nick that I am leaving the papers here( his office window. He immediately said I cannot do that to which I responded I am not taking them back. He tried to hand them to me but I refused to take them. He asked me to give him the courtesy of waiting for the Head of Security since he was very accommodating earlier I complied. When the head of Security came down he repeated that they are not responsible and will place the papers in the trash. It must be noted that while I was waiting in the area where in-house messengers worked and packages are logged in and inspected, an employee quietly told me that Aurelius frequently play this kind of 'game". On 5/9/11 I also deposited in the U.S. Mail, via first class another true copy of the documents listed above in a properly enclosed and sealed post paid envelope bearing the legend 'personal and Confidential'. the envelope did not indicate on the outside thereof that the communication was from an att'y and was addressed to Aurelius legal Dept. at the address noted above.

**Description of Person Served:** Age: 55, Sex: M, Race/Skin Color: Caucasian, Height: 5'6", Weight: 150, Hair: Bald, Glasses: N

I am over the age of 18, not a party to this action, and reside in the State of New York.

Sworn to before me on the 9th day of May, 2011 by  
the affiant who is personally known to me.

  
NOTARY PUBLIC

DAVID P. JACOBSON  
NOTARY PUBLIC, State of New York  
No. 01JA4797134  
Qualified in Kings County  
Commission Expires April 2, 2019



**Simon Kahn**  
0842361

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Our Job Serial Number: 2011000188  
Ref: 089600-016075